

Koch, Kristine

From: Patty Dost <pdost@pearllegalgroup.com>
Sent: Friday, January 22, 2016 9:24 AM
To: Koch, Kristine; Cora, Lori
Cc: Wyatt, Robert; Jen Mott
Subject: RE: Portland Harbor RI

Thank you, Kristine and Lori.

Patty

From: Koch, Kristine [mailto:Koch.Kristine@epa.gov]
Sent: Friday, January 22, 2016 9:23 AM
To: Patty Dost <pdost@pearllegalgroup.com>; Cora, Lori <Cora.Lori@epa.gov>
Cc: Wyatt, Robert <rjw@nwnatural.com>; Jen Mott <jmott@anchoragea.com>
Subject: RE: Portland Harbor RI

Patty and Bob, The proposal you sent is acceptable to EPA. Since this resolves this matter, I'm not going to grant the extension of time requested by Bob yesterday.

Thanks,

Kristine Koch
Remedial Project Manager
USEPA, Office of Environmental Cleanup

U. S. Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 900, M/S ECL-122
Seattle, Washington 98101-3140

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From: Patty Dost [mailto:pdost@pearllegalgroup.com]
Sent: Thursday, January 21, 2016 4:34 PM
To: Cora, Lori <Cora.Lori@epa.gov>
Cc: Wyatt, Robert <rjw@nwnatural.com>; Koch, Kristine <Koch.Kristine@epa.gov>; Jen Mott <jmott@anchoragea.com>
Subject: FW: Portland Harbor RI

Lori,

Based upon our conversation earlier today and EPA's concern that the LWG stand behind the work it has completed under the Consent Order, we propose the following compromise to the modification EPA suggested on January 15, 2016:

Insert a page right after the cover page, with the following language:

"This report was significantly revised by USEPA from the August 29, 2011 Draft Final RI Report submitted by the Respondents to the Administrative Order on Consent for Remedial Investigation and Feasibility Study U.S. EPA Docket Number CERCLA-10-2001-0240 dated and amended September 28, 2001, as amended on June 16, 2003

and April 27, 2006. This document will be part of the Administrative Record in support of EPA's selection of the remedial action for the Portland Harbor Superfund Site."

This simply moves EPA's "significant revisions" language to the front of the statement and clarifies that the original work was performed by the LWG.

Is this acceptable to EPA to resolve this disagreement?

A few minutes ago, Bob sent Kristine (with a copy to you) an email requesting a one week extension to the dispute resolution deadline for this issue to allow us to try again to resolve it. Could you please confirm that, if we are required to initiate dispute tomorrow, any dispute can be submitted by email?

Thank you,
Patty

From: Koch, Kristine [<mailto:Koch.Kristine@epa.gov>]
Sent: Friday, January 15, 2016 2:52 PM
To: Bob Wyatt <rjw@nwnatural.com>
Cc: Jen Mott <jmott@anchoragea.com>; Allen, Elizabeth <allen.elizabeth@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Subject: Portland Harbor RI

Bob – I have this run through HQ, OGC and OSRE and they agree that the following can be the Agency's resolution to your issue of specifying authorship of the RI Report.

In lieu of the prior direction to add to the title page "Prepared for the USEPA by Respondents to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation and Feasibility Study U.S. EPA Docket Number CERCLA-10-2001-0240"

Insert a page right after Cover Page, with the following language:

"This report was prepared for USEPA pursuant to the Administrative Order on Consent for Remedial Investigation and Feasibility Study U.S. EPA Docket Number CERCLA-10-2001-0240 dated and amended September 28, 2001, as amended on June 16, 2003 and April 27, 2006, with significant revisions by the EPA. This document will be part of the Administrative Record in support of EPA's selection of the remedial action for the Portland Harbor Superfund Site."

Regards,

Kristine Koch
Remedial Project Manager
USEPA, Office of Environmental Cleanup

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